



CHIEF JUDGE CHANDLEE JOHNSON KUHN

We are pleased to present the annual report of the Family Court of the State of Delaware. Family Court remains firmly committed to its mission and strategic plan.

In accordance with its statutory mission, set forth in 10 Del.C. § 902(a),

"The court shall endeavor to provide for each person coming under its jurisdiction such control, care, and treatment as will best serve the interest of the public, the family, and the offender, to the end that the home will, if possible, remain unbroken and the family members will recognize and discharge their legal and moral responsibilities to the public and to one another."

STRATEGIC PLANNING

Family Court's Strategic Plan reads as follows:

WE, THE JUDGES OF THE FAMILY COURT OF THE STATE OF DELAWARE, this 12th day of August, 2004, in furtherance of the Family Court's legislative mandate to best serve the interests of the citizens, families, and children of the State of Delaware, and all other individuals who appear before us, do hereby set forth the Court's guiding ideals, goals, and strategies.

Guiding Ideals

The Family Court of the State of Delaware – its judicial officers and staff – is committed to securing meaningful access to justice for those who come before the Family Court; to striving for safety, permanency, and rehabilitation of our children; to protecting the peace and safety of the public; to resolving disputes impartially and fairly; to demanding respect, intellectual honesty, integrity, and accountability from ourselves as well as from those we serve; to respond-

ing to the social changes and innovative ideas of the future; to giving due deference to legal precedents of the past; and, ultimately, to enhancing the quality of life of the citizens, children and families of the State of Delaware.

Goals

- Safety and security
- Timely and expeditious hearings and case processing
- Institutional competence (fully trained and engaged judicial officers and staff)
- Conflict resolution in the least adversarial manner
- Comity in governmental relations
- Balanced court work-load

Broad Strategies

- Effective judicial governance
- Continuous learning (training and education)
- Innovation
- Alternate dispute resolution (ADR)
- Good working relationships with other branches of government and justice system partners
- Community outreach

COURT IMPROVEMENT PROJECT (CIP)

The Court Improvement Program (CIP) is a multi-year, federally funded grant project designed to support state courts in efforts to improve their handling of cases involving children in foster care, termination of parental rights and adoption proceedings. Delaware has participated in this project since its inception in 1994 and continues to utilize this federal resource to embark on a dynamic new partnership with the child welfare system by focusing on the common goal of improving the safety, stability and well-being of children who have experienced abuse and neglect.

Initial CIP efforts resulted in today's best practice of having all stages of a dependency and neglect case heard by the same judge within a schedule of hearings and reviews that meet federal standards. More children and parents have representation, case plans are more meaningful, orders more consistently include detailed reasoning, and reunification or permanency is achieved more timely.

The Court is building on that foundation through a more active partnership with others in the child welfare system, primarily the Division of Family Services, but also with legal professionals, advocates and service providers. A number of judges serve as champions in particular subject areas, enabling the Court to participate more proactively than reactively with other stakeholders.

Highlights include:

- The Family Court successfully applied for additional CIP grant funding to address data and training needs.

- A data collection tool was designed, and data collection has been piloted, to help analyze barriers to timely case movement, among other things.

- Professional development and education opportunities sponsored by the CIP included:

August 2007 – multidisciplinary training on concurrent planning and permanency planning

September 2007 – funding support for Delaware Finding Words – multidisciplinary training on investigating child abuse

May 2008 – multidisciplinary two-day conference on child abuse prevention, investigation, prosecution, and treatment

June 2008 – multidisciplinary education on a national model when cases involve very young children; national training for Delaware CASA volunteers

July 2008 – a team of Family Court and DFS representatives attend national conference on data collection, exchange and technology in child welfare

August 2008 – national conference and training for attorneys contracted by Family Court to represent parents or CASA volunteers

September 2008 – national resource center training for judges on educational rights and needs of children in care

October 2008 – national resource center training for attorneys involved in child welfare cases on educational rights and needs of children in care

- The Family Court actively planned and participated with DSCYF in preparation for the Federal Child and Family Services Review. In 2008, the Family Court helped DSCYF craft its program improvement plan to further the goal of providing all children with safe, permanent families in which their physical, emotional, and social needs are met. Members of the Court participate in ongoing workgroups focused on fulfilling the plan.

- Collaboration is advanced through quarterly meetings between the Court and DFS leadership.

- Additional collaboration is occurring at the county level through quarterly stakeholders meetings intended for partners to remedy local challenges and share beneficial information.

- The Family Court convened a multidisciplinary work group to conduct the state-wide, system-wide assessment of the interstate placement of children, required by the federal government.

The path forward includes:

- Utilizing additional federal support to collect and analyze data in order to specifically identify areas for improvement, to design and offer a schedule of educational opportunities for judicial officers and others in order to achieve improvements, and to collaborate with partners on replicating best practices statewide.

- Because of its sweeping systemic reforms, the Delaware Family Court was selected as a study site for the U. S. Department of Health and Human Services (HHS) to evaluate the impact of CIP. Pal Tech will conduct the court-focused evaluation in New Castle County under contract with HHS. The study began in the fall of 2006 and will take place over a five-year period. It will include observations and empirical information regarding the impact of court reforms, including their influence on the Division of Family Services and its ability to meet federal child welfare requirements.

JUVENILE JUSTICE

Mental Health Diversion Court

In 2006, the Family Court, in collaboration with the Office of the Public Defender and the Division of Child Mental Health received federal grant money through the Criminal Justice Council to pilot a Mental Health Diversion Court for juveniles with delinquency charges pending against them in the New Castle County Family Court. The program offers a treatment-based resolution of the delinquency charges of juvenile offenders with mental health disorders. The program began in January of 2007 and quickly acquired a full caseload. During the first year of the program, 85 juveniles were referred to the program. Of those, 52 were entered into the program and 16 have graduated.

In conjunction with the Mental Health Court program, the Family Court in New Castle County has created a dedicated juvenile competency calendar for conducting competency hearings and monitoring compliance with treatment recommendations for non-competent juveniles still facing open charges. One dedicated judge is assigned to hear and track all the competency hearings.

Delaware Girls Initiative

The Delaware Girls Initiative (DGI) began as a statewide volunteer initiative comprised of more than one hundred advocates. Under the guidance of the Honorable Chandlee Johnson Kuhn, Chief Judge of Family Court, DGI was developed as a result of the growing need for gender specific resources for at-risk girls. Its mission is to actively advocate for a 'continuum of services' that ensures gender specific resources and programs for all girls at-risk in Delaware.

Denise Bray, of Bray Associates, along with DGI Coordinator, Allison Cassidy and Program Assistant, Bebbin Cassell, developed and released the second annual workshop calendar that offers 53 workshops statewide, providing gender responsive training to professionals and individuals in Delaware.

SERVICES FOR SELF-REPRESENTED LITIGANTS

In its continued efforts to serve *pro se* litigants, the Family Court helped nearly 50,000 people by providing assistance through the Resource Centers statewide. Over 25,000 people in New Castle County utilized the services provided in the Self-Help Center and Intake Center. Kent County's Resource Center provided assistance to approximately 14,000 people, and Sussex County's Resource Center provided assistance to approximately 10,000 people. These numbers indicate that Delaware's citizens continue to benefit from the variety of services offered in the Resource Centers.

Over the past year, the Court developed and implemented instruction booklets and informational resources in the areas of child support, arbitration, arraignments, protection from abuse, Review of Commissioner's Orders and subpoenas. These materials are in addition to instructional booklets already available on divorce and annulment, custody, visitation, custody modification, guardianship, permanent guardianship, termination of parental rights and adoption. These books provide extensive information to *pro se* litigants regarding how to complete court forms (including sample forms), the court process and information to assist them in preparing for their particular court hearing. The booklets and resources are available to *pro se* litigants in all Family Court Resource Centers and are accessible on the Family Court webpage. The Family Court webpage continues to be upgraded in order to be more user-friendly for *pro se* litigants. The Court is currently developing additional instruction booklets in the areas of motions practice and court hearing procedure. Finally, the Court continues to be active in developing desk reference books and holding continuing legal education seminars for pro bono attorneys volunteering in the area of family law.

The Director of *Pro Se* Services continues to serve as the Court liaison to the Family Law Commission and provides a yearly presentation to that body regarding services available to *pro se* litigants.

Family Court *Pro Se* Programs has also begun a series of seminars offered for *pro se* litigants, which focus on the law applicable to Family Court matters and procedural processes. These seminars take place at various locations throughout the state and are free of charge.

The Court's *pro se* litigant program has enhanced the public's access to the Court, has enhanced litigants' participation in the Court process and has contributed to more efficient Court operations.

DOMESTIC VIOLENCE

In staying at the forefront of developments in the area of domestic violence, the Family Court has taken on a number of tasks to promote the forward momentum in this area.

In its continued efforts to provide protection and relief to victims of domestic violence, as well as ensure treatment and counseling for offenders, Family Court has created a specialized domestic violence court. The intention of this specialized court is twofold: to create greater continuity in Family Court cases involving domestic violence and to create a more standardized system of compliance for offenders.

In January 2008, Family Court began conducting Protection From Abuse review hearings. These hearings

are being scheduled before the Court when a Respondent has not complied with the conditions of an active Protection From Abuse order. These reviews do not require the Petitioner to file a contempt petition in order for a hearing to be scheduled. This process will help with Respondents being held accountable with the possibility of criminal complaints being filed.

Finally, in addition to conducting PFA review hearings, Family Court was able to secure federal grant money creating the position of a Domestic Violence Court Project Coordinator to promote the efforts of the specialized domestic violence court statewide. The Coordinator will monitor compliance, provide training to court staff as needed and attend various meetings of the Domestic Violence Coordinating Council on behalf of Family Court.

COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM

Family Court's CASA Program has continued to recruit and train volunteers to provide a tangible link among the court, child welfare and child mental health case-workers, service providers, parents, relatives and foster parents. The statewide program launched a recruitment campaign that involved advertisements on DART buses, an outdoor billboard on I-95, advertisements in Delaware Today, Metro Kids, Cape Gazette, Dover Sun Times, and contact with civic groups and churches. The CASA Program participated in many community events such as the Hispanic Job Fair, Delaware Home Show, Martin Luther King Community Day, August Quarterlies and Delaware Paralegal Conference to name a few. Within each county the CASA Program was heard or seen through the various media outlets. In Kent County CASA was heard over the Delmarva Radio broadcast. In Sussex County there was a live Spanish broadcast over La Existosa Radio and free ice cream giveaway right in front of the Family Courthouse. As a result, the program has doubled the new volunteers from the previous year within eight months.

The CASA Program has updated their brochures, and website resulting in over 1000 visitors to the website each month. There has been an increase in volunteer referrals received from the national CASA volunteer referral program, Volunteer Match and direct calls to the program. Among the community initiatives, the national CASA selected Delaware CASA Program to host training for other CASA programs on the east coast on the new national CASA volunteer training curriculum. This training was held in March for Family Court CASA staff, volunteers and four other CASA programs from Pennsylvania and West Virginia. On May 19, 2008, the program received an opportunity to meet with the Honorable Glenda Hackett and Michael Piraino (CEO of NCASA) at the National CASA Forgotten Children Display in Washington, D.C. On June 9th and 10th over 25% represented the program for the

first time in the 27 years as delegates to the National CASA Conference. On June 10, 2008 the volunteers and staff met Senator Tom Carper during the CASA meet Congress opportunity in Washington, D.C.

Currently the program has over 250 volunteers serving over 560 children. We have increased the diversity of the volunteers to include males, full time workers and minorities. This was achieved by offering evening training and frequent training sessions throughout the year. In addition to the initial training, the program offers the volunteers over 60 hours of continuing education opportunities (12 hours are required annually).

The program has continued to provide representation for the children in foster care and those involved in custody and guardianship cases. Over 3000 hours are given on a monthly basis by our volunteers as they speak up for the children we serve.

The Family Court CASA Program is growing and making a difference for Delaware's children.

HUMAN RESOURCES DEVELOPMENT

The Family Court continues to focus on the professional development of its administrative support staff with the goal of enhancing overall organizational effectiveness and individual competencies. The emphasis is on providing our employees with the knowledge and skills needed to effectively provide information and assistance to litigants.

The guiding principles that the Court uses as its long range human resources strategy are embedded in its Strategic Plan that has been adopted and approved by all Family Court Judges.

The Court's current development program for its supervisors and managers centers on two one-day conferences that are held annually at a central location with full participation required.

In November 2007 all managers and supervisors attended a one-day conference entitled "Managing Effectively in a Collective Bargaining Workplace". The program was presented by representatives of Human Resource Management. Information on the new public sector collective bargaining legislation and the State of Delaware's new on-line recruiting program for Merit System positions was covered.

The second managers' conference was held in April, 2008 entitled "Keys to Effective Leadership: Coaching and Counseling." The presentation was made by a representative of the Training and Organizational Development Section of Human Resource Management. Both conferences served a key role in ensuring that the Court's management team is effectively developing staff and leading by example.

The next two upcoming managers' conferences will cover "Conflict Resolution and Quality Service in the Public Sector." Additionally, a career development strategy for all supervisors and managers has been created that meshes the managers' conferences into the courses that will lead to a State of Delaware Supervisory Development Certificate for all court supervisors.

On October 4 and 5, 2007, 261 court employees attended the annual Staff Development Conference in Dover. The conference was led off by an internationally recognized motivational speaker, Sid Hurlbert, on "What to Say and How to Say It", a dynamic customer service approach designed to strengthen staff's skills in this critically important area. Sessions were also held on Child Abuse Reporting in Delaware, Dealing with Difficult People, Hiring the Most Qualified Individuals for Your Office and specialized training for all mediation/arbitration officers and intake staff.

For the next fiscal year, the format of the Staff Development Conference will change to individualized county-based programs geared to meeting the training needs of the Court in each county.

In addition to the Family Court Staff Development Conference, employees in administrative support positions attended various educational programs offered by the Administrative Office of the Courts, the Office of Human Resource Management and other training resources. The Judges, Commissioners, managers and supervisors are committed to the participation of their unit members in these programs.

Members of the Court's administrative team attended specialized training in judicial administration sponsored by the Middle Atlantic Association of Court Management.

Under the Court's Excellence in Performance program an annual ceremony was held in Sussex County. Kent County and New Castle County have moved their programs to December to accommodate a year-end celebration of achievements by employees. Awards for a broad range of individual and group accomplishments, including Employees of the Year, Manager of the Year and Director's Awards are presented at the ceremonies.

SECURITY, SAFETY AND FUNCTIONALITY OF THE FAMILY COURT FACILITIES STATEWIDE

In August of 2008, the Sussex County Security Enhancement project was completed. Improvements in the entrance security profile were accomplished and secure payment, information and records retrieval windows were installed. The Self Help Center is more secure as a result of the renovations and a larger waiting area was also accomplished. In addition, victim ser-

vices offices were made more accessible to those in need of domestic violence counseling.

ELECTRONIC COURT REPORTERS

Since November of 2007, Electronic Court Reporters have played an integral role in improving Family Court's written and recorded record. Developments in New Castle County include an improved archiving and record retention procedure, structured annotation practices, advancements in audio quality throughout all 18 courtrooms through additional equipment, as well as increased accountability for our record. Each of these elements has brought Family Court closer to the quality and consistency that the record deserves.

Additionally, since January, there have been more than one hundred requests for electronic copies of the audio record; the Electronic Court Reporting enhancements have increased the quality of the record for public review.

CALL CENTER PILOT

The Family Court Customer Call Center pilot program began on January 24, 2007. The program's goal was to provide specially trained and courteous representatives to promptly answer a variety of Family Court related questions to callers.

The Customer Call Center operated Monday through Friday 8:30 a.m. to 4:30 p.m., and was staffed with one supervisor and four employees. Due to limited resources, the Customer Call Center ceased operations on April 25, 2008. During this time period, the Customer Call Center handled a total of 58,229 calls for service. Based on call volume data during the pilot phase, it is estimated that with the addition of six full-time employees, the Customer Call Center could handle volume in excess of 145,000 calls a year.

Although the Customer Call Center was a pilot program, it proved to be very successful and was recognized by internal and external customers. Unfortunately, due to budget constraints, the Customer Call Center was disbanded. Because of the success of the pilot program, however, the Court hopes to reinstate the Customer Call Center and expand the operations statewide in the future.

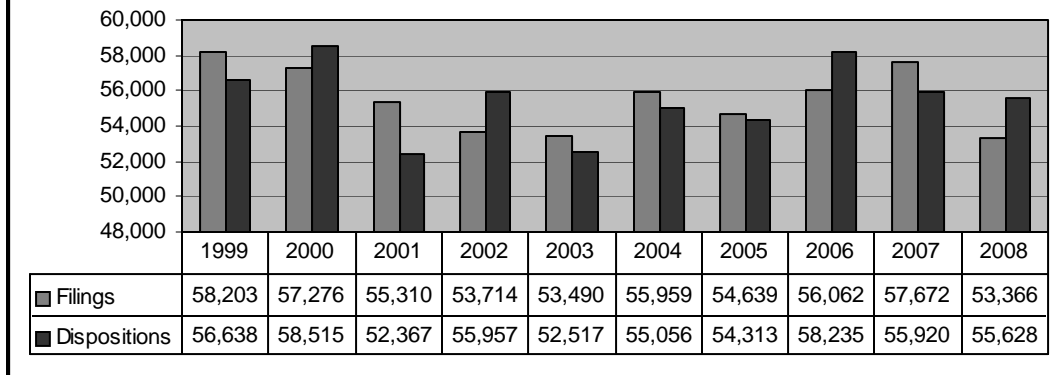
LEGAL AUTHORIZATION

The Constitution of Delaware, Article IV, Section 1, authorizes the Family Court.

COURT HISTORY

The Family Court of the State of Delaware has its origin in the Juvenile Court for the City of Wilmington, which was founded in 1911. A little over a decade

FAMILY COURT CIVIL & CRIMINAL FILINGS AND DISPOSITIONS BY FISCAL YEAR



later, in 1923, the jurisdiction of the Juvenile Court for the City of Wilmington was extended to include New Castle County. In 1933, the Juvenile Court for Kent and Sussex Counties was created. From the early 1930s, there was a campaign to establish a Family Court in the northernmost county, and this idea came to fruition in 1945 when the legislature created the Family Court for New Castle County, Delaware. In 1951, legislation was enacted to give the Juvenile Court for Kent and Sussex Counties jurisdiction over all family matters, and in early 1962, the name of the Juvenile Court for Kent and Sussex Counties was changed to the Family Court for Kent and Sussex Counties.

As early as the 1950s, the concept of a statewide Family Court had been endorsed. The fruition of this concept was realized with the statutory authorization of the Family Court of the State of Delaware in 1971.

In 2005 Family Court was granted Constitutional Status by an act of the General Assembly.

Following the passing of retired Chief Judge Thompson on April 5, 2008, Governor Minner signed Senate Bill 289 which renamed the Sussex County Family Court Courthouse as the Chief Judge Robert D. Thompson Jr. Courthouse in honor of his years of dedicated service. On September 24, 2008, a dedication ceremony and unveiling of the new courthouse sign took place on The Circle with family, friends, dignitaries and Family Court employees in attendance. We thank the Delaware General Assembly for passage of the bill authorizing this important honor for former Chief Judge Thompson.

GEOGRAPHIC ORGANIZATION

The Family Court is a unified statewide court with branches in New Castle County in Wilmington, Kent

County in Dover and Sussex County in Georgetown.

LEGAL JURISDICTION

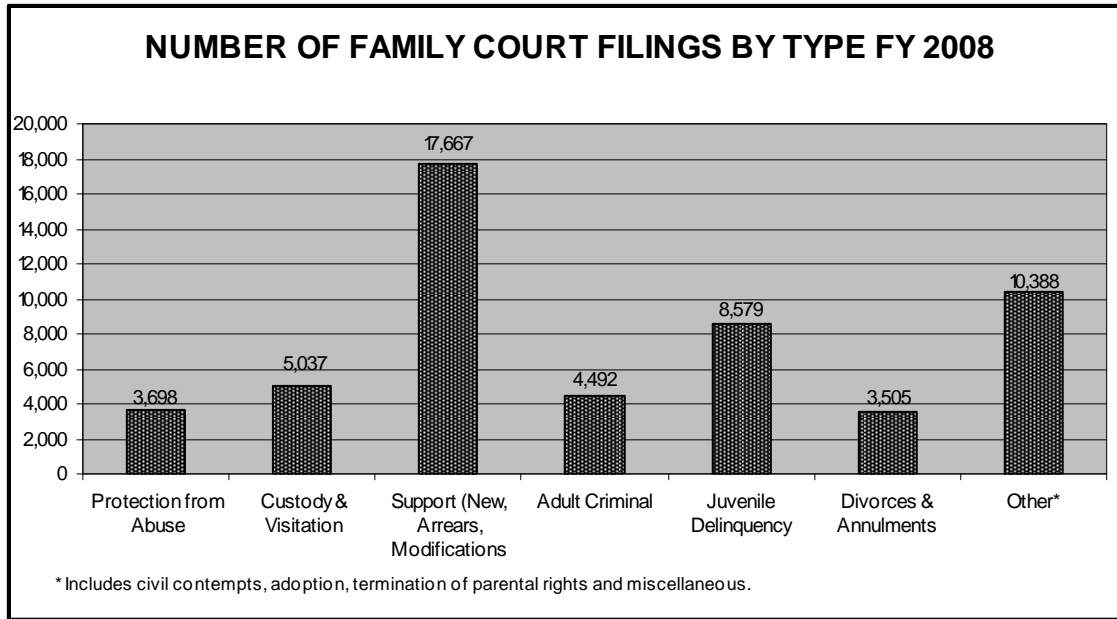
The Family Court has had conferred upon it by the General Assembly jurisdiction over statutorily enumerated juvenile delinquency matters, child neglect, dependency, child abuse, adult misdemeanor crimes against juveniles, child and spousal support, paternity of children, custody and visitation of children, adoptions, terminations of parental rights, divorces and annulments, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, orders of protection from abuse and intra-family misdemeanor crimes.

Cases are appealed to the Supreme Court with the exception of adult criminal cases which are appealed to the Superior Court.

JUDGES

Family Court has 17 judges of equal judicial authority, one of whom is appointed by the Governor as Chief Judge and who is the chief administrative and executive officer for the Court. A bare majority of the judges must be of one major political party with the remainder of the other major political party.

The Governor nominates the judges, who must be confirmed by the Senate. The judges are appointed for 12-year terms. Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least five years prior to appointment and must have a knowledge of the law and interest in and understanding of family and children's issues. They shall not practice law during their tenure and may be reappointed.



COMMISSIONERS

Family Court has 16 Commissioners of equal judicial authority. Commissioners are attorneys at law who are nominated by the Governor, confirmed by the Senate and serve an initial four-year term. Upon second and subsequent appointments and confirmation, Commissioners serve six-year terms.

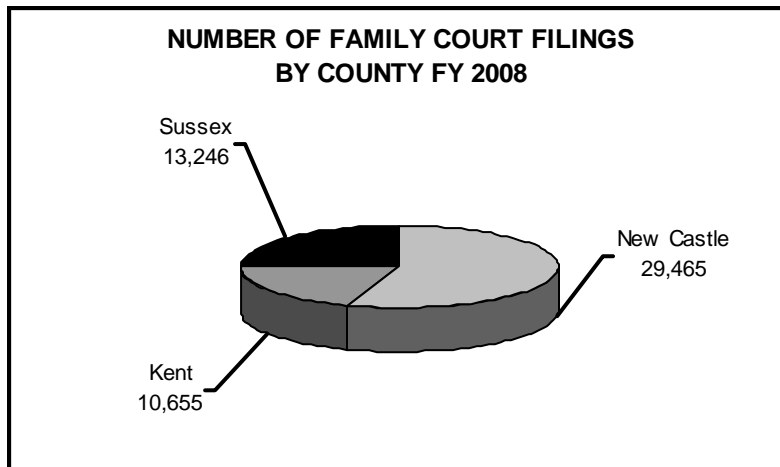
Commissioners hear a broad range of cases including child support, misdemeanor crimes and delinquency, civil protection petitions, bail hearings and other cases as assigned by the Chief Judge. Orders from Commissioners are subject to review by Family Court Judges.

During this fiscal year, Commissioner Martha Sackovich retired after 17 years with the Family Court. In June, Commissioner Bernard Pepukayi was confirmed

by the Senate for a four year term as her replacement, and was sworn in on July 23, 2008 to serve in New Castle County.

ADMINISTRATIVE SUPPORT PERSONNEL

The Family Court has an administrative support staff of 300 full-time positions in addition to the above-referenced Judges and Commissioners. The Court's administrative support staff includes positions such as the Court Administrator, directors of operations, supervisors, clerks of court, administrative specialists, accountants, judicial assistants, mediation/arbitration officers, intake officers, program coordinators and interns working in all areas of the Court.





Front Row (sitting left to right)

Judge William J. Walls, Jr.
Judge Jay H. Conner
Chief Judge Chandlee Johnson Kuhn
Judge Kenneth M. Millman
Judge Mark D. Buckworth

Back Row (standing left to right)

Judge Arlene Minus Coppadge
Judge Peter B. Jones
Judge Barbara D. Crowell
Judge Michael K. Newell
Judge Robert B. Coonin
Judge William L. Chapman, Jr.
Judge Joelle P. Hitch
Judge Alan N. Cooper
Judge Aida Waserstein
Judge Mardi F. Pyott

Not pictured: Judge John E. Henriksen and Judge William M. Nicholas